

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: ERIC J. DURST

CHAPTER 13

Debtor(s)

JACK N. ZAHAROPOULOS  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 1-22-02369-HWV

vs.  
ERIC J. DURST

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on February 6, 2023, Jack N. Zaharopoulos, Standing Chapter 13 Trustee, through his attorney, Douglas R. Roeder, Esquire, and moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on December 8, 2022.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).
  - **Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD**
  - **Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
  - **CHAPTER 13 PLAN**
- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Dated: February 6, 2023

Respectfully submitted,

/s/ Douglas R. Roeder, Esquire  
ID: 80016  
Attorney for Movant  
Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
Suite A, 8125 Adams Drive  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
email: droeder@pamd13trustee.com

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CASE NO: 1-22-02369-HWV

**NOTICE**

NOTICE IS HEREBY GIVEN THAT The debtor(s) filed a Chapter13 Bankruptcy Petition on December 8, 2022.

Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file required documents indicated below.

- Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD**
- Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
- CHAPTER 13 PLAN**

A hearing with the Court has been scheduled for:

**Date: March 22, 2023**  
**Time: 09:30 AM**  
**Location: Ronald Reagan Federal Bldg  
Bankruptcy Courtroom, 3rd Floor  
228 Walnut Street  
Harrisburg, PA 17101**

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before: **February 20, 2023**. If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Dated: February 6, 2023

Respectfully submitted,

/s/ Douglas R. Roeder, Esquire

ID: 80016

Attorney for Movant

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

Suite A, 8125 Adams Drive

Hummelstown, PA 17036

Phone: (717) 566-6097

email: info@pamd13trustee.com

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CHAPTER 13

Debtor(s)

CASE NO: 1-22-02369-HWV

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on February 6, 2023, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail from Hummelstown, PA, unless served electronically.

Served Electronically

E. HALEY ROHRBAUGH  
CGA LAW FIRM, P.C.  
135 NORTH GEORGE ST  
YORK PA 17401-

UNITED STATES TRUSTEE  
SUITE 1190  
228 WALNUT STREET  
HARRISBURG, PA 17101

Served by First Class Mail

ERIC J. DURST  
2086 LOMAN DRIVE  
YORK PA 17408

I certify under penalty of perjury that the foregoing is true and correct.

Date: February 6, 2023

/s/ Vickie Williams  
Office of the Standing Chapter 13 Trustee  
Jack N. Zaharopoulos  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
email: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

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CHAPTER 13 TRUSTEE  
Movant

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Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED. The Court retains jurisdiction to rule on any timely filed fee application.